

# EXHIBIT 166

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,  
MASSACHUSETTS,  
WASHINGTON, COLORADO,  
CONNECTICUT, DELAWARE,  
DISTRICT OF COLUMBIA,  
HAWAII, ILLINOIS, IOWA, NEW  
MEXICO, NORTH CAROLINA,  
OREGON, PENNSYLVANIA,  
RHODE ISLAND, VERMONT, and  
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; ELAINE  
C. DUKE, in her official capacity; U.S.  
CITIZENSHIP AND IMMIGRATION  
SERVICES; U.S. IMMIGRATION  
AND CUSTOMS ENFORCEMENT;  
and the UNITED STATES OF  
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228  
(NGG) (JO)

### DECLARATION OF TOM SULLIVAN

Pursuant to 28 U.S.C. § 1746(2), I, E. Thomas Sullivan, hereby declare as follows:

1. I am the President of the University of Vermont and State Agricultural College (“UVM”). I have served in this role since 2012.
2. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered from UVM records and other publicly available information.
3. UVM is a public land grant university located in Burlington, Vermont. It is the largest institution of higher education in the State. UVM offers more than 100 majors in 7 undergraduate schools and colleges, 50 master’s degree programs, 27 doctoral programs, and an M.D. program through the Robert Larner College of Medicine. There are currently more than 10,500 undergraduate students, 1,500 graduate students, 800 certificate and continuing education students, and 450 medical students enrolled at UVM.
4. UVM’s mission as a public research university is to educate students, create and disseminate knowledge, and prepare our students to be leaders, change agents, and global citizens. To be successful in this charge, we must educate our students about the world in which they live and help them acquire the knowledge and skills necessary for successful and productive lives. Essential to achieving these goals are: having diversity among our faculty, staff and students to add intellectual and social vibrancy to the community; cultivating a respectful climate for all members of our community; supporting the development of cultural competency; providing a curriculum that teaches critical thinking and engages learners of different multicultural perspectives across all disciplines; and having co-curricular experiences that provide community members with opportunities to engage across differences, as well as to

develop and deepen critical life skills. For these reasons, a diverse and inclusive UVM community is a compelling institutional interest that is indispensable to achieving our goal of inclusive excellence.

5. UVM is committed to ensuring the safety, wellbeing, and educational success of all of its students, including those who may be undocumented immigrants. It is the practice of UVM to protect undocumented students to the maximum extent that federal law permits. UVM does not collect or maintain records regarding whether its students are undocumented immigrants, or more specifically, whether any students have been granted Deferred Action for Childhood Arrivals (DACA).

6. The repeal of DACA may affect students who are attempting to start, continue, or complete their education at universities and colleges in this country, including UVM. If DACA grantee students lose their work authorizations, they risk losing their jobs and their ability to pay for their education. DACA students who are enrolled in an educational program that requires employment in order to complete elements of the program, such as research or teaching assistant positions, may be impacted by the loss of work authorizations and they may be unable to meet the requirements of their degree program.

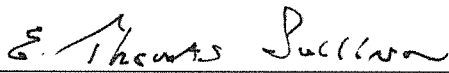
7. The impact from repeal of DACA would be felt at UVM. For example, as reported in a recent Vermont Public Radio interview, Juan Conde, a first-year medical student at the Larner College of Medicine identified himself publicly as a DACA recipient. *See* Kathleen Masterson, Vt. Public Radio, *Despite Risk, UVM Medical Student Comes Forward to Defend DACA Program* (Sept. 11, 2017).<sup>1</sup> In statements to the press, Mr. Conde indicated that his mother brought him to this country from Mexico when he was 9 years old and that he had

---

<sup>1</sup> Available at <http://digital.vpr.net/post/despite-risk-uvvm-medical-student-comes-forward-defend-daca-program#stream/0> (last visited Sept. 21, 2017).

dreamed of becoming a doctor ever since his mother died of cancer in 2007. *Id.* Mr. Conde further explained in his statement that, when his undocumented status prevented him from applying to medical school, he initially earned a Ph.D. in biochemistry in order to become a cancer researcher. *Id.* According to Mr. Conde, the DACA program enabled him to pursue his dream of attending medical school, and he recently began his studies at the Larner College of Medicine at the University of Vermont. *Id.* Repealing the DACA program would threaten the professional medical opportunities of Mr. Conde, and in so doing, could cause harm to UVM and the UVM community.

Executed on this 26 day of September, 2017

  
\_\_\_\_\_  
E. Thomas Sullivan

